

U.S. Department of Justice



*United States Attorney
Southern District of New York*

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April 1, 2024

BY EMAIL

The Honorable Judith C. McCarthy
United States Magistrate Court Judge
Southern District of New York
300 Quarropas St.
White Plains, NY 10601

APPLICATION GRANTED

Judith C. McCarthy
Hon. Judith C. McCarthy

Re: *United States v. Kennedy Carter*, 24-MJ-801

4-1-2024

Dear Judge McCarthy:

The Government writes respectfully to request that the Court schedule a control date for a presentment of the defendant in the above-captioned matter for Monday, May 6, 2024.

As Your Honor knows, the defendant, Kennedy Carter, was charged by a complaint authorized by Your Honor on February 23, 2024. On or about March 21, 2024, Mexican authorities, including immigration authorities, deported Mr. Carter from Mexico via a flight to San Francisco International Airport ("SFO"). The Federal Bureau of Investigation ("FBI") arrested Mr. Carter upon his arrival at SFO on or about March 21, 2024, and Mr. Carter appeared in San Francisco federal court on or about the following day, March 22, 2024 before the Honorable Laurel Beeler, United States Magistrate Judge for the Northern District of California. During Mr. Carter's initial appearance, on Friday March 22, 2024, Judge Beeler appointed as attorney for Mr. Carter Elizabeth Falk of the Federal Defenders and scheduled a hearing on identification, removal, and detention for the following Monday.

During the conference held on Monday, March 25, 2024, Mr. Carter admitted identity and consented to, and the Court did order, the exclusion of time under the Speedy Trial Act from March 25, 2024 to May 6, 2024 as well as the extension of the time limit for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for an indictment under the Speedy Trial Act until May 6, 2024. See Stipulated Order Excluding Time Under the Speedy Trial Act and Waiver Under FRCP 5.1, attached here as Exhibit A.

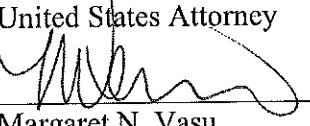
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It is also the Government's understanding that during the March 25, 2024 hearing, the U.S. Marshal Service represented to the Court in San Francisco, that Mr. Carter would be transported to this District in approximately three weeks' time. In light of the above, and in the hopes of encouraging a timely transport, the Government respectfully requests that the Court schedule a control date for Mr. Carter's presentment in this District on May 6, 2024.

Sincerely,

DAMIAN WILLIAMS
United States Attorney

By:


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